

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HQ SPECIALTY PHARMA CORP. and)
WG CRITICAL CARE, LLC,)
)
Plaintiffs,)
)
) C.A. No. 21-1714 (MN)
v.)
)
FRESENIUS KABI USA, LLC,)
)
Defendant.)

FINAL JUDGMENT

This 1st day of August 2025, pursuant to Rule 58(b)(2) of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED that:

1. Judgment is entered in favor of Defendant and against Plaintiffs that inventorship as to claims 2 and 3 of the '646 patent was improper.
2. Judgment is entered in favor of Plaintiffs and against Defendant that because inventorship of the '646 patent has since been corrected, the '646 patent is no longer invalid for improper inventorship.
3. Judgment is entered in favor of Plaintiffs and against Defendant that claims 1, 2 and 3 of the '646 patent are not invalid for obviousness.
4. Judgment is entered in favor of Plaintiffs and against Defendant on Defendant's claim that the '646 patent is unenforceable due to inequitable conduct.
5. Judgment is entered in favor of Plaintiffs and against Defendant with respect to Plaintiffs' claims of direct infringement of claims 1, 2 and 3 of the '646 patent.

IT IS FURTHER ORDERED that this Final Judgment shall have the effect of denying as moot all motions made by the Parties pursuant to Rule 50(a) of the Federal Rules of Civil Procedure.



The Honorable Maryellen Noreika
United States District Judge

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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August 1, 2025

The Honorable Maryellen Noreika
United States District Court
for the District of Delaware
844 North King Street
Wilmington, DE 19801

*VIA ELECTRONIC FILING
AND HAND DELIVERY*

Re: *HQ Specialty Pharma Corp., et al. v. Fresenius Kabi USA, LLC*
C.A. No. 21-1714 (MN)

Dear Judge Noreika:

Pursuant to the Court's Order of July 31, 2025 (D.I. 325), attached is a revised [Proposed] Final Judgment in the above-referenced matter that has been agreed upon by the parties.

Respectfully,

/s/ Megan E. Dellinger

Megan E. Dellinger (#5739)

MED/bac
Attachment

cc: Clerk of the Court (via hand delivery; w/attachment)
All Counsel of Record (via electronic mail; w/attachment)